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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,983	03/07/2001	Bob Ebert	PALM-3524.US.P	5877

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WAGNER, MURABITO & HAO LLP
Two North Market Street, Third Floor
San Jose, CA 95113

EXAMINER

ZHOU, TING

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 10/07/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/801,983

Applicant(s)

EBERT ET AL.

Examiner

Ting Zhou

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7 March 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Drawings

1. The drawings are objected to because the following reference characters are not labeled in an appropriate descriptive manner: "64" in Figure 1B.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: Note reference character "940" in Figure 9.
3. Applicant is required to submit a proposed drawing correction of the above noted deficiencies (preferably in red ink) in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

Specification

4. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure

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of the improvement. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Extensive mechanical and design details of apparatus should not be given.

5. The abstract is objected to because the sentence starting "Specifically, in one embodiment of the present invention," on lines 7-9 is directed at the specifics of the invention, as opposed to the entire disclosure as a whole.

6. The abstract of the disclosure is objected to because of the following informality: The word "Manger" on line 18 is misspelled. The correct spelling of the intended word would be -- Manager--. Correction is required. See MPEP § 608.01(b).

7. The disclosure is objected to because of the following informalities: On line 18 of page 33, the letter "i" in the word "in" should be capitalized, since it is the start of a sentence. Appropriate correction is required.

Claim Objections

8. Claims 4, 5, 21 and 22 are objected to because of the following informalities:

a. In claims 4 and 21, the phrase "requesting said information in a list format if there at least two outstanding attention requests" is grammatically incorrect. The phrase should be revised to --requesting said information in a list format if there are at least two outstanding attention requests-- to clarify the limitations conveyed by the claims. All dependent claims, namely, claims 5 and 22 are subsequently objected to as well.

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- b. In claim 17, the phrase “a audible alarm” is grammatically incorrect. The correct phrase to use would be –an audible alarm--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

9. Claims 1-2, 10-13, 16-19 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Vong et al. U.S. Patent 6,209,011.

Referring to claims 1, 11 and 18, Vong et al. teach a method and system containing a notification system that alerts users of an event (column 1, lines 63-66).

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Specifically, this method and system is capable of receiving a request (call) from an application through the application program interface (API) to schedule events (column 5, lines 38-42), receiving and storing the information in memory (column 2, lines 36-39 and column 5, lines 8-17), creating (activating) a notification dialog using the information (column 3, lines 63-65) and automatically displaying (generating) notification dialog on top of an on-screen display that is generated by an active second application. This is demonstrated by the ability to flash and display an alarm while other applications are running, as recited in column 8, lines 17-20, and can further be seen in Figure 7. Regarding claim 11, Vong et al. address the issue of determining outstanding attention requests still requiring attention from the user by allowing users to have the option to reschedule the alert for a later time. The rescheduled alert will continue to require attention from the user until it is deactivated (column 8, lines 22-30).

Referring to claims 2 and 19, Vong et al. disclose the ability to determine and handle a plurality of attention requests (arbitrary number of notifications) from multiple applications (column 8, lines 31-33).

Referring to claims 10 and 27, Vong et al. teach a method and system in which the electronic device is a portable handheld computing device (column 1, lines 63-64).

Referring to claim 12, Vong et al. teach, in column 2, lines 3-7 and lines 24-26, receiving a display request (notification request) to display a selected attention request, automatically switching from the second application (application program interface) to the third application (notification mechanism), and displaying the attention request (turning on the LED). In addition, they teach a user interface (application program interface) between the calling application and the notification application (column 2, lines 52-58).

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Referring to claim 13, Vong et al. teach the automatic activation of the notification application upon the occurrence of an event and the display of that notification (column 3, lines 60-65).

Referring to claim 16, Vong et al. teach the option of letting the user request to suspend the attention requests (rescheduling the alarm for an additional five-minute period), suspending the alarm for a predetermined period of time and reactivating and displaying the alarm again after the five-minute snooze time has elapsed (column 8, lines 20-30). This is further illustrated in Figure 7.

Referring to claim 17, Vong et al. teach the alarm (notification mechanism) being implemented in a variety of ways, including audio device, visual device (light), vibration device, flashing LED, and flashing the notification dialog box (column 4, lines 4-15 and column 8, lines 16-30). This is further shown in the table given in column 6, lines 45-57.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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10. Claims 3-9, 14-15 and 20-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vong et al. U.S. Patent 6,209,011 as applied to the claims above, and further in view of Chari et al. U.S. Patent 6,553,416.

Referring to claims 3 and 20, Vong et al. teach all of the limitations as applied to the claims above. They also teach the deactivation of requests when the user acknowledges the notification alert (column, lines 62-65). However, they do not teach the deletion of the deactivated request from memory. Chari et al. teach a method and system for managing alerts similar to that of Vong et al. In addition, Chari et al. further teach the deletion of notifications in column 12, lines 10-28. This can also be seen in Figure 4A (reference character "438"). It would have been obvious to one of ordinary skill in the art, having teachings of Vong et al. and Chari et al. before him at the time the invention was made, to modify the notification system and method of Vong et al. to include the ability to delete notifications, as taught by Chari et al. One would have been motivated to make such a combination in order to conserve memory space by deleting requests that are no longer active and in need of attention.

Referring to claims 4-5 and 21-22, while Vong et al. teach all of the limitations as applied to the claims above, they fail to teach the ability to request and view information regarding the attention requests in a list format. As can be seen from Figure 6, Chari et al. show the display of a log window containing the list of alerts that are still active. Therefore, if there are active attention requests, they can be determined and displayed on a display screen via a notification dialog that contains a list of these alerts. Having the teachings of Vong et al. and Chari et al. before him at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify the notification system and method of Vong et al. to include the list format display of active notifications, as taught by Chari et al. It would have been advantageous

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for one to utilize such a combination to allow the users to view and keep track of all active notification alerts together in a log file.

Referring to claims 6-9 and 23-26, while Vong et al. teach all of the limitations as applied to the claims above, they fail to teach the ability to request and view the attention request information in detailed format and the singular display of the details of the attention requests. As can be seen in Figure 5, Chari et al. show the display of one notification dialog (alert screen) that contains all the details regarding the alert, i.e., the date, time, and description of the alert. Therefore, this shows detailed information regarding a notification can be gathered and singularly displayed on the screen as a detailed notification dialog. It would then have been obvious to one of ordinary skill in the art that the detailed format of display for the alerts can be requested whether the plurality of attention requests contain every request except the first attention request, as is the case in claims 6, 7, 23 and 24, or only the first attention request, as is the case in claims 8, 9, 25 and 26. Having the teachings of Vong et al. and Chari et al. before him at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify the notification system and method of Vong et al. to include the singular display of detailed notification dialogs, as taught by Chari et al. It would have been advantageous for one to utilize such a combination to allow users to view all the details related to an alert in a single window display.

Referring to claims 14 and 15, while Vong et al. disclose all of the limitations as applied to the claims above, they fail to disclose the steps of receiving a request to clear one or all attention requests. Chari et al. teach a method for managing alerts similar to that of Vong et al. In addition, they further teach, in column 12, lines 9-28, receiving a request from the user to clear an attention request (delete an alert) and deleting that alert from memory. Specifically,

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they further describe the ability to delete a plurality of alerts (column 12, lines 13-20). It would have been obvious to one of ordinary skill in the art, having the teachings of Vong et al. and Chari et al. before him at the time the invention was made, to modify the notification system of Vong et al. to include the ability to delete alerts, as taught by Chari et al. One would have been motivated to make such a combination in order to conserve memory space by deleting one or a plurality of alerts from the system.

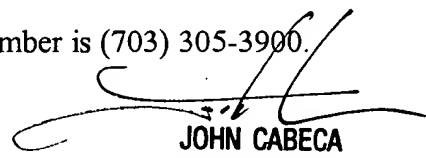
11. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach electronic books with similar mechanisms for note taking and retrieval.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703) 305-0328. The examiner can normally be reached on Monday-Friday 7:15 am - 3:45 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on 703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-8720.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

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September 24, 2003